

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF IOWA
(Central Division)

CINDY MURRAY,)	
)	
)	Case No. 1:15-cv-59
Plaintiff,)	
)	
v.)	DEFENDANT’S STATEMENT
)	OF UNDISPUTED MATERIAL
FIRST NATIONAL BANK OF OMAHA,)	FACTS
)	
Defendant.)	

COMES NOW Defendant, First National Bank of Omaha (“FNBO”), and submit the following Statements of Undisputed Material Facts in Support of its Motion for Summary Judgment:

1. On or about June 9, 2014, Plaintiff applied for a received a First National Bank of Omaha, “VISA” credit card account ending in 0106.
2. On said application for credit, Plaintiff provided her cellular telephone number at issue in this case to FNBO.
3. On or about February 19, 2015 Plaintiff applied for a received a First National Bank of Omaha, “VISA Scheels” credit card account ending in 7030
4. On said application for credit, Plaintiff provided her cellular telephone number at issue in this case to FNBO.
5. In July of 2015, Plaintiff hired her current attorneys in this lawsuit.
6. In August of 2015, FNBO called Plaintiff regarding her Scheels account.
7. During said call, Plaintiff requested that FNBO not call her cell phone.
8. FNBO and Plaintiff never communicated regarding the VISA account.

9. FNBO never called Plaintiff regarding her Scheels account after the August 25, 2015 phone call.
10. FNBO and Plaintiff never spoke again after the August 25, 2015 phone call.
11. Plaintiff's attorneys requested she keep records of calls and provide them with periodic updates on the number of calls.

Dated: October 14, 2016

FIRST NATIONAL BANK OF OMAHA

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